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TRANSCRIPT OF PROCEEDINGS

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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JAN 10 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

IN THE MATTER OF:

TRINITY BROADCASTING OF FLORIDA, INC.  
and  
GLENDALE BROADCASTING COMPANY

MM DOCKET NO. 93-75

Miami, Florida

DATE OF HEARING: December 14, 1993

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FREE STATE REPORTING, INC.  
Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

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**FEDERAL COMMUNICATIONS COMMISSION**  
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AND )

GLENDAL E BROADCASTING COMPANY )

Miami, Florida )  
 -----)

The above-entitled matter come on for hearing pursuant to Notice before Judge Joseph Chachkin, Administrative Law Judge, at 2000 L Street, N.W., Washington, D.C., in Courtroom No. 3, on Tuesday, December 14, 1993, at 9:30 a.m.

**APPEARANCES:**

On behalf of Trinity Broadcasting of Florida, Inc.:

HOWARD A. TOPEL, Esquire  
 NATHANIEL EMMONS, Esquire  
 CHRISTOPHER HOLT, Esquire  
 EUGENE MULLIN, Esquire  
 1000 Connecticut Avenue  
 Suite 500  
 Washington, D.C. 20036-5383

On behalf of Glendale Broadcasting Company:

LEWIS COHEN, Esquire  
 JOHN SCHAUBLE, Esquire  
 Cohen and Berfield, P.C.  
 Board of Trade Building  
 1129 20th Street, N.W.  
 Washington, D.C. 20036

On Behalf of S.A.L.A.D.:

DAVID HONIG, Esquire  
 DAVID McCURDY, Esquire  
 1800 N.W. 187 Street  
 Miami, FL 33056

**FREE STATE REPORTING, INC.**  
 Court Reporting Depositions  
 D.C. Area (301) 261-1902  
 Balt. & Annap. (410) 974-0947

## 1 APPEARANCES (Continued):

2 JAMES SHOOK, Esquire  
3 GARY SCHONMAN, Esquire  
4 2025 M Street, NW  
Suite 7212  
Washington, D.C. 20036

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I N D E X

|    | <u>Witness</u>                | <u>Direct</u> | <u>Cross</u> | <u>Redirect</u>              | <u>Recross</u> |
|----|-------------------------------|---------------|--------------|------------------------------|----------------|
| 1  |                               |               |              |                              |                |
| 2  |                               |               |              |                              |                |
| 3  | PEARL JANE DUFF               |               |              |                              |                |
| 4  |                               |               |              |                              |                |
| 5  | By Mr. Topel                  |               |              | 2266                         |                |
| 6  | By Mr. Cohen                  |               |              |                              | 2270           |
| 7  | By Mr. Schonman               |               |              |                              | 2288           |
| 8  | PAUL F. CROUCH                |               |              |                              |                |
| 9  |                               |               |              |                              |                |
| 10 |                               |               |              |                              |                |
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| 21 |                               |               |              |                              |                |
| 22 |                               |               |              |                              |                |
| 23 |                               |               |              |                              |                |
| 24 | Hearing began: 9:30 a.m.      |               |              | Hearing Ended: 4:00 p.m.     |                |
| 25 | Lunch Break Began: 12:30 p.m. |               |              | Lunch Break Ended: 1:45 p.m. |                |

P R O C E E D I N G S

JUDGE CHACHKIN: On the record. Mr. Topel, you have some more redirect?

MR. TOPEL: Just a little, Your Honor.

REDIRECT EXAMINATION

BY MR. TOPEL:

Q Mrs. Duff, in connection with Mass Media Bureau Exhibit 233 you discussed your role in negotiating the purchase of NMTV's studio in Portland. My question to you is have you ever negotiated the purchase of a studio for a TBN owned and operated full power station?

A No.

Q You were asked about NMTV's purchase of land for the Odessa station's tower and transmitter site. Who negotiated NMTV's purchase of that land?

A I did.

Q And have you ever negotiated the purchase of land for the tower or transmitter site for a TBN owned and operated full power station?

A No.

Q You also discussed your involvement negotiating a line of credit for NMTV's planned Wilmington purchase. Have you ever negotiated a line of credit on behalf of TBN?

A No.

Q Mrs. Duff, why except when you were specifically

1 asked to attend did you not attend TBN Board meetings after  
2 the time you resigned from the TBN Board?

3 A Most of the Board meetings were held at the Meridian  
4 Hotel which was close to Mr. Crouch's home and it would take  
5 at least 20 minutes one way to get there. The meetings were  
6 usually several hours long and it really took up more of my  
7 time than I could, could give.

8 Q Would you turn please to, would you turn please to  
9 Glendale Exhibit 104?

10 A Yes.

11 Q Do you have that? That should be a document dated  
12 October 3, 1989.

13 A Yes.

14 Q You explained previously the differences between  
15 that document and the TBN policy on that subject. My question  
16 to you is can you explain why at your deposition you might  
17 have said that the policy concerning travel arrangements was  
18 the same when you testified here that they're different?

19 A At the time I was leafing through several documents  
20 and I didn't carefully read this particular one. TBN's policy  
21 would have directed personnel, excuse me, to an individual  
22 that was employed by TBN and this document, of course, refers  
23 station managers to call me directly, and that was the policy  
24 for NMTV.

25 Q Mrs. Duff, would you turn to Mass Media Bureau

1 Exhibit 179 in Volume 3?

2 A What was the --

3 Q I believe it's the last exhibit in Volume 3, 179,  
4 the last exhibit in Volume 3. Do you have that? That's a  
5 purchase order.

6 A Yes.

7 Q Okay. I believe when you testified about this  
8 document you said that it related to a site change application  
9 for NMTV's Portland station and I'd like to ask you to look at  
10 the call sign that's stated in the description on that  
11 document. I'd like to ask you if you have a correction to  
12 your previous testimony that you'd like to make?

13 A Yes. It was not Portland. It was the Odessa  
14 station that this purchase order referred to.

15 Q And was there a site change application for both  
16 Portland and Odessa?

17 A That's correct. There was site changes for both  
18 facilities.

19 Q I'd like to ask you to focus your attention to look  
20 at Mass Media Bureau Exhibits 336 and 350.

21 A What book is that in?

22 Q That will be in Volume 6.

23 MR. COHEN: What were the numbers again, please?

24 MR. TOPEL: 336 and 350.

25 BY MR. TOPEL:

1           Q     These are the memoranda to Dr. Crouch about new  
2 stations signing on the air. Take -- let me know, Mrs. Duff,  
3 when you've had a chance to look at those two.

4           A     I have it.

5           Q     Okay. My question to you is why are these memoranda  
6 prepared?

7           A     These memorandas are prepared for each and every  
8 outlet for the network including all affiliates, all owned and  
9 operated stations, as a way of information for all personnel  
10 so they'll know how to respond to viewers and to people that  
11 correspond through the mail, and Mr. Crouch would make an  
12 announcement over the air to the new community asking people  
13 to call in and let him know how the signal was being received.

14          Q     Are these memoranda prepared only for NMTV or TBN  
15 owned and operated affiliates?

16          A     No. They're prepared for every new outlet for the  
17 network.

18          Q     Thank you. Would you turn now to Mass Media Bureau  
19 Exhibit 403 which is in -- I think it's in Volume 7? Do you  
20 have that, Mrs. Duff?

21          A     Yes.

22          Q     Looking at the second paragraph of that memorandum,  
23 the second sentence, I believe you testified you gave the  
24 instruction stated there about eliminating counties located  
25 within the service area of the Trinity owned or affiliate



1 station and my question to you is why did you give that  
2 instruction?

3 A I wanted to make sure that there was no overlapping  
4 of contours because Trinity's affiliates are paid based on zip  
5 codes within each individual contour. That way we would not  
6 be able to rightly divide the income if we did not have  
7 accurate contours and if we had any overlapping we would not  
8 be able to have an accurate of paying each affiliate.

9 MR. TOPEL: I have nothing further, Your Honor.

10 JUDGE CHACHKIN: Any recross?

11 MR. COHEN: A few questions.

12 JUDGE CHACHKIN: Go ahead, Mr. Cohen.

13 RECROSS-EXAMINATION

14 BY MR. COHEN:

15 Q You were just asked, ma'am, about Mass Media Bureau  
16 Exhibit 336. Would you please turn to that? That's in Volume  
17 6. Please tell me when you've found that, Mrs. Duff.

18 A I have it.

19 Q Now, why was Jim Planck copied on this interoffice  
20 memo?

21 A Jim Planck was copied so that he would be aware that  
22 we had announced the station. It was a way of a courtesy to  
23 him to know that the station had been announced it was on the  
24 air.

25 Q Well, why would this information be relevant to him?

1           A     It would be relevant to him because he would know  
2 that that was the final step in the construction, the  
3 announcement the station was on the air, that the announcement  
4 was made. It's his responsibility to let us know that the  
5 station is on the air and he knows that Mr. Crouch is notified  
6 and that is the final step to his construction.

7           Q     What you're telling me then, I -- as I understand  
8 it, is this memo is the notice to Mr. Planck that he should  
9 commence efforts to construct the station? Is that what  
10 you're telling me?

11          A     No, sir. The station is on the air at this time.  
12 This is -- that's the final step to, to let him know everybody  
13 has been notified and it's his responsibility --

14          Q     I see your point. Okay.

15          A     -- to make sure that everybody knows, and this is  
16 the final step. He gets the information. Then he knows that  
17 his job is complete.

18          Q     So obviously this is a notice sent to Mr. Planck  
19 that the construction that Planck Construction Company did is  
20 over?

21          A     Right.

22          Q     And is it -- is Mr. Planck a, a person who was  
23 always notified in terms of the distribution lists? I notice  
24 -- we can go through this, but there's -- there appears to be  
25 a, a standard distribution list and I take it Mr. Planck is

1 part of that standard distribution list. Is that correct?

2 A Yes.

3 Q Now, you were asked a question by Mr. Topel about  
4 Glendale Exhibit 179 in Volume 3, the last exhibit in Volume  
5 3.

6 MR. COHEN: No, Glendale --

7 MR. TOPEL: Of what?

8 MR. COHEN: -- Exhibit 179. No, I'm in error. The  
9 Bureau -- no, I'm in error. I ask the Bureau to -- Glendale.  
10 I mean, Bureau Exhibit 179.

11 MRS. DUFF: What volume, Mr. Cohen?

12 MR. COHEN: That's Volume 3, ma'am.

13 MR. TOPEL: The last exhibit in Volume 3.

14 BY MR. COHEN:

15 Q Please tell me when you've found it.

16 A Yes.

17 Q Now, I noticed that this purchase order and check  
18 requisition both of them were checked. Strike that. Both  
19 purchase order and check requisition are, are marked with X's.  
20 Is this document both a purchase order and a check  
21 requisition?

22 A That's correct.

23 Q And I notice it was requisitioned by Mr. Miller but  
24 there's no authorization initials. Can you explain that?

25 A No.

1 Q It was my understanding that there -- that, as you  
2 testified earlier, that there ought to be -- at least there  
3 should be two authorization initials for a -- an amount as  
4 high as \$1,944. Correct?

5 A That usually is the way that purchase orders are,  
6 are authorized, yes.

7 Q Now, I want to ask you just a very few questions  
8 about the testimony you gave Mr. Topel concerning Mark  
9 Fountain. This is in connection with hiring him as Chief  
10 Engineer. I'm correct that Mr. Miller also interviewed Mr.  
11 Fountain, didn't he?

12 A I don't know if he interviewed him or not.

13 Q Well, you certainly sought Mr. Miller's advice in  
14 connection with hiring Mark Fountain, didn't you?

15 A Yes.

16 Q And the point in fact Mr. Fountain had worked for  
17 Trinity in an engineering capacity? Correct?

18 A That's correct.

19 Q And Mr. Miller was his supervisor, wasn't he?

20 A Mr. Miller was not Mr. Fountain's direct supervisor.  
21 That was George Murray. I talked to George Murray about his  
22 qualifications as an engineer. I consulted with Mr. Miller  
23 regarding Mr. Fountain's ability to construct the station.

24 Q And that was important because Mr. Miller was going  
25 to supervise the construction of the station? Isn't that

1 correct?

2 A Yes.

3 Q Now, I want to ask you just a few questions about  
4 your testimony concerning Pastor Aguilar and I have reference  
5 to the conference calls. My notes reflect, and if I'm in  
6 error, please tell me, that you testified that you were, you  
7 were a participant in three conference calls where Reverend  
8 Aguilar personally participated. Were my notes correct?

9 A Yes.

10 Q Now, is that testimony based upon your recollection,  
11 ma'am?

12 A Yes.

13 Q And you have a clear recollection of each one of  
14 those telephone calls?

15 A Yes. There would be several people in the room and  
16 I was a participant along with the other people in the room.

17 Q Now, when you use the word "conference call," tell  
18 me what you mean by conference call.

19 A That means that Phil Aguilar was on a speaker phone  
20 and I was in an office with several other people.

21 Q Now, I don't want to go over your, your cross-  
22 examination on this point, but you will recall you testified  
23 that frequently you conversed with Pastor Aguilar through his  
24 secretary, Lois Trager?

25 A Yes.

1 Q Is this what you're talking about now?

2 A No, sir.

3 Q So --

4 A It's totally separate incidents.

5 Q This is where he actually participated in a phone  
6 call?

7 A Yes.

8 Q Okay. And I'd you to tell me about the first of the  
9 three telephone conversations, these conference calls. When  
10 did it occur?

11 A I don't remember the dates.

12 Q Give me the month and the year, please, if you can.

13 A I, I can't.

14 Q Can you recall the season?

15 A I'm sorry.

16 Q And you can't recall the year either?

17 A That -- these conference calls probably were fairly  
18 close together, but I don't remember the, the year. I could  
19 only guess.

20 Q No. I don't want you to guess. Now, were the same  
21 persons participating in all three conference calls?

22 A There might have been one instance where one or two  
23 people might have been different, but I can't say absolutely  
24 for sure.

25 Q Give me your best recollection, please, of who the

1 participants were in each of the conference calls.

2       A     There would have been Mr. Crouch, E. V. Hill, Norm  
3 Juggert and myself in one conference call. And another  
4 conference call Mr. Crouch, myself, and I don't believe E. V.  
5 Hill was there, and --

6       Q     What about Mr. Juggert?

7       A     I don't believe Mr. Juggert was there during the one  
8 conference call.

9       Q     All right. Do you have a recollection of who the  
10 participants were in the third conference call?

11       A     I don't remember whether E. V. Hill was, was -- I  
12 don't think he was there except the one time and I believe  
13 Norm Juggert was at the next one, myself, perhaps -- I'm, I'm  
14 real fuzzy on the other. I don't remember who else was there.  
15 It could have been Mr. Crouch's other assistant, Terry Hickey,  
16 but I'm not sure.

17       Q     Why would Mr. Hickey been, been a party to this  
18 telephone call?

19       A     As Mr. Crouch's assistant.

20       Q     And why would Norman Juggert be a participant in one  
21 or two of the phone calls?

22       A     It would be something that Mr. Crouch or I had  
23 invited him to be at the -- you know, at the meeting.

24       Q     And why would you have invited him, you or Mr.  
25 Crouch?

1           A     We had, had some questions for Phil and Mr. Juggert  
2 had gotten some information and he wanted to go over it with,  
3 with Phil and Mr. Crouch and myself.

4           Q     What questions did you have?

5           A     About the legal problem that Mr. -- I mean, Reverend  
6 Aguilar had in Texas.

7           Q     Was that the problem that resulted in his felony  
8 conviction?

9           A     No, sir.

10          Q     Oh, this is another legal problem?

11          A     This is another legal problem.

12          Q     And, and tell me what the legal problem in Texas was  
13 about?

14          A     It had to do with some property that Reverend  
15 Aguilar was using that belonged to, to TBN.

16          Q     And what was the legal problem?

17          A     It had to do with the use of some property there and  
18 some problems with people that had been using the property.

19          Q     And this concerned, this concerned you and Paul  
20 Crouch and Norman Juggert?

21          A     Yes.

22          Q     And that was the purpose of the telephone call?

23          A     Yes.

24          Q     And what was the reason that Norman Juggert was  
25 invited to participate in another conference call?



1           A     I don't remember.

2           Q     Did the legal problem that you've just described  
3 that Reverend Aguilar was having in Texas, did this concern  
4 you in terms of his carrying out his duties as a director of  
5 NMTV?

6           A     Yes.

7           Q     And did you satisfy yourself on this point that his  
8 legal problem in Texas was one which did not prevent him from  
9 continuing to carry out his responsibilities as a director?

10          A     At that particular time we knew that the problem  
11 wasn't resolved, but we were confident that Phil would be able  
12 to stay on the Board, yes.

13          Q     But you didn't -- you still haven't told us what the  
14 problem is. Would you, would you just tell me briefly, if you  
15 will, what the problem was?

16          A     At that particular time I didn't have all the  
17 information regarding the problem.

18          Q     Well, give us your best recollection of the  
19 information you had when you had the phone call concerning  
20 what the problem was.

21          A     The phone -- during the phone conversation there was  
22 something about an article in the newspaper and that basically  
23 was the, was the gist of the whole issue, was the newspaper  
24 article that came out about accusations about the use of the  
25 property and TBN's only interest in it was to be able to --

1 the issue was that TBN's property was being used by -- and we  
2 just wanted to make sure that TBN was not involved in the  
3 lawsuit itself.

4 Q And the lawsuit concerned using a youngster and TBN  
5 was concerned about that?

6 A Yes.

7 Q It was sexual abuse of the youngster, as I recall.  
8 Is that correct?

9 A At that particular time I didn't have all the  
10 details.

11 Q But that was the nub of it, wasn't it?

12 A That's what was in the newspaper.

13 Q Okay. And this is what concerned you and Paul  
14 Crouch and Norman Juggert?

15 A Yes.

16 Q I want to turn to another matter, ma'am. Mr. Topel  
17 asked you about when Mr. May disclosed to you his conflict of  
18 interest. My question is was there any disclosure by Mr. May  
19 of this conflict before -- no, strike that. Was there, was  
20 there a disclosure by Mr. May of his conflict before late  
21 1993?

22 A This was early -- much earlier than that. It was  
23 around -- somewhere around '87 when this was -- when we first  
24 got involved with Odessa.

25 Q And, and the first time that the conflict was

1 brought to the attention of the non-Trinity Board members did  
2 not occur until late 1993? Am I correct?

3 A Yes.

4 Q When the conflict was brought to your attention in  
5 1987 by Mr. May you never brought that conflict to the  
6 attention of the non-Trinity employed NMTV Board members, did  
7 you?

8 A I didn't have a real clear recollection on it,  
9 whether I did or not. I know I talked to Mr. Crouch about it,  
10 but I don't remember for sure whether I talked to the other  
11 Board members.

12 Q Well, I can find your deposition testimony on this.  
13 I think you were asked about it and your deposition testimony  
14 stated that you didn't talk with anyone other than Paul Crouch  
15 about that. Does that refresh your recollection?

16 A Yes.

17 Q So it wasn't until the hiring of Mr. Topel's law  
18 firm came up that the matter of conflict of interest was  
19 brought to the attention of the non-Trinity employees who were  
20 members of the Board at NMTV?

21 A That's, that's correct.

22 Q Now, am I correct that the, that the policy of NMTV  
23 is that above a certain amount there needs to be two  
24 signatures approving purchase orders or check requisitions?

25 A Yes.

1 Q And what is that amount?

2 A Well, it depends on who it is. The station managers  
3 have \$500.

4 Q And what about other -- persons other than the  
5 station managers?

6 A Well, actually, in order for the, for the IRS to  
7 trail everybody, you know, every purchase order should have  
8 two signatures on it.

9 Q And that's a policy that NMTV and TBN each had?

10 A Yes.

11 Q Mr. Topel presented us yesterday with this  
12 compendium of documents which is TBN Exhibit 119 and I have --  
13 I want to go through this as quickly as possible. All I want  
14 to do, ma'am, is identify the persons who are the -- whose  
15 initials are set forth in the Authorized By column, and I'm  
16 sure you can do it. I recognize your initials, but I -- and I  
17 recognize Mr. Brown's initials, but there are a lot of  
18 initials that I don't recognize, and I'd like to do this as  
19 quickly as possible. I have jotted down the page numbers  
20 where I can't make it out and perhaps we can -- perhaps you  
21 can help me and we can establish, establish it clearly and I  
22 won't have to ask you the same question twice. On page 5  
23 whose initials -- this is TBN Exhibit 199. Whose initials are  
24 set forth in that column, Authorized By?

25 A Philip Crouch, Jane Duff.

1 Q Oh, I see. And 7 is Alan Brown, A.B.? Is that  
2 right or not --

3 A That's correct.

4 Q And who's on 9?

5 A Phil Crouch.

6 Q Is 13 Alan Brown or is that someone else?

7 A Alan Brown.

8 Q What about 15?

9 A Charlene Williams.

10 Q And what about 18?

11 A Charlene Williams.

12 Q While in 19 I notice this is requisitioned by Lee  
13 Fenton. Who was Lee Fenton? That's a new name for me.

14 A She was in the Accounting Department.

15 Q Of TBN?

16 A Yes.

17 Q Now, there's a -- the authorization, one name is --  
18 one initial is yours and then one is scratched out. Is that,  
19 is that a regular procedure?

20 A No.

21 Q Can you explain that?

22 A No.

23 Q Now, on document 26 this is addressed to Planck  
24 Technical Services, attention Donna Sharpe. Does Donna Sharpe  
25 work for Planck Technical Services?

1           A     No.

2           Q     Well, why would a check be written to the order of

3 Planck, attention Donna Sharpe?

4           A     You're on 20?

5           Q     26.

6           A     Oh, Donna Sharp is the -- she's the CPA that's in

7 charge of the Accounting Department at TBN. She handled the

8 Planck Technical account.

9           Q     Explain what you mean that she handles the account?

10          A     She would do the book work for Planck Technical at

11 this particular time. During the time that Planck -- I think

12 this was during the time that Planck was actually owned by

13 TBN.

14          Q     So in December of '90 Planck was owned by TBN?

15          A     I believe that was time frame, yes.

16          Q     And TBN provided accounting services then?

17          A     Yes.

18          Q     And do they still -- does TBN still provide

19 accounting services for Planck?

20          A     No.

21          Q     And when did that cease?

22          A     After Planck went back into business for themselves.

23          Q     And give me your best recollection when that

24 occurred?

25          A     About two years ago.

1 Q Thank you. At the present time does, does TBN  
2 provide any services, any services to Planck?

3 A Not to my knowledge.

4 Q So on document 30A there's only one signature here  
5 and is that because it was a small amount?

6 A I don't know.

7 Q This is supposed to be two? Correct?

8 A There should be two.

9 Q Whose initials are on, on 37?

10 MR. TOPEL: 47?

11 MR. COHEN: 37.

12 MRS. DUFF: It looks like Terry Hickey.

13 BY MR. COHEN:

14 Q And 38?

15 A Terry, Terry Hickey.

16 Q And whose initials are on 48?

17 A Phil Crouch.

18 Q What about 112?

19 MR. TOPEL: 112?

20 MR. COHEN: Yes.

21 MRS. DUFF: Terry Hickey.

22 BY MR. COHEN:

23 Q 113?

24 A Terry Hickey.

25 Q I want to ask you about document 142. Now, that's

1 | dated March 29, 1993 and Sherry Duff is your daughter?

2 | Correct?

3 |       A     She's my daughter-in-law.

4 |       Q     Daughter-in-law.

5 |       A     My secretary.

6 |       Q     Oh, she -- she's the young lady you referred to  
7 | what, at the outset of your testimony as the woman that's your  
8 | secretary? Is that correct?

9 |       A     Yes.

10 |       Q     Thank you. I think for the sake of the record since  
11 | you testified about this earlier it's important that you  
12 | explain check 157.

13 |             MR. TOPEL: I object to the form of the question.

14 |             JUDGE CHACHKIN: Do you have a specific question,  
15 | Mr. Cohen?

16 |             MR. COHEN: Yes.

17 |             BY MR. COHEN:

18 |       Q     The amount will vary on check 157. Could you  
19 | explain that, what -- I understand the words Amount Will Vary,  
20 | but why is -- if you know, why is such an entry set forth  
21 | under Description?

22 |       A     Because this is what was considered a blanket  
23 | purchase order and these specific monthly amounts would change  
24 | from month to month.

25 |       Q     Based upon what the --



1           A     Based on the income and that's what the affiliate  
2 was paid on, the monthly income. They were paid 80 percent of  
3 the monthly income. That's why the amounts would vary.

4           Q     I understand. Thank you. To your knowledge, ma'am,  
5 in 1992 what percentage of NMTV's construction was handled by  
6 Planck?

7           A     Well, the majority of it.

8           Q     Would you say 90 percent of it was?

9           A     They handled the majority of our construction. I  
10 don't remember of a specific project that wasn't done by them.  
11 However, there could have been.

12          Q     Thank you. Would your answer be the same for  
13 Trinity? Do you understand the question?

14          A     Yes. I would say that the majority of the  
15 construction would have been done by Planck for, for low  
16 powers, yes.

17          Q     And Mr. Miller is the liaison between Trinity and  
18 Planck? Is that correct?

19          A     Yes.

20          Q     You were asked a question by Mr. Topel concerning  
21 the     -- Bureau Exhibit 414.

22                MR. COHEN: Could I ask Mr. Topel for some, for some  
23 help, Your Honor, for one second to get a document?

24                JUDGE CHACHKIN: We'll go off the record.

25                (Off the record.)